



07-18-05 office petition DAC/

PATENT
450106-02645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tetsujiro Kondo, et al.
Serial No. : 09/807,114
Filed : June 15, 2001
For : TRANSMITTING APPARATUS AND METHOD,
RECEIVING APPARATUS AND METHOD,
TRANSMITTING AND RECEIVING APPARATUS AND
METHOD, RECORD MEDIUM AND SIGNAL (AS
AMENDED)
Examiner : Nguyen, Kimnhung T.
Art Unit : 2674

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

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Date of Deposit: **July 15, 2005**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Charles Jackson
(Typed or printed name of person mailing paper or fee)

Charles Jackson
(Signature of person mailing paper or fee)

PETITION TO WITHDRAW FROM ISSUE
PURSUANT TO 37 C.F.R. 1.313(C)(2) AND TO CONSIDER
A REQUEST FOR CONTINUED EXAMINATION

Mail Stop **RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 C.F.R. 1.313(c)(2), Applicants, by their representative, hereby petition to withdraw the above-identified application from issue for the purpose of

considering the Request for Continued Examination (RCE) submitted herewith. This Petition is filed to permit consideration of an Information Disclosure Statement under §1.97, submitted with the RCE filed concurrently herewith.

Applicants' representative has just been advised of prior art that may be material and copies of such prior art documents are submitted herewith in the accompanying Information Disclosure Statement. Since an Information Disclosure Statement will not be considered at this stage in the prosecution of the present application, namely, subsequent to the payment of Issue Fee, it is requested that said application be withdrawn from issue and that the RCE and Information Disclosure Statement submitted herewith be considered.


The requisite Petition fee in the amount of \$130, is enclosed herewith. Please charge any deficiency therein, to Deposit Account No. 50-0320.

Accordingly, Petitioners respectfully request that the petition herein to withdraw this application from issue be granted.

Petitioners also respectfully request that the previously submitted Issue Fee be held so that it may be applied upon receipt of a new Notice of Allowance.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


William S. Frommer
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Encs. - Request for Continued Examination
- Information Disclosure Statement
- PTO For 1449
- Reference